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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,606	05/02/2001	David K. Peck	20101/01401	5598

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EXAMINER

TRAN, QUOC A

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/847,606

Applicant(s)

PECK ET AL.

Examiner

Quoc A. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 05/21/2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is responsive to application filed 05/02/2001.
2. Claims 1-13 are currently pending in this application. Claims 1, 7, and 13 are independent claims.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1- 13 are rejected under 35 U.S.C. 102(b) as being unpatentable by Matthews et al.(hereinafter Matthews)“Complete Reference FrontPage 2000” (Public Release 1999, By Osborn/McGraw-Hill, Ca, USA).**

**In regard to independent claim 1, “ A method for editing Web-based documents, comprising the steps of: receiving from a user an indication of a selected portion of a Web-based document to be edited and of a desired editing function to be performed on the selected portion”, as taught by Matthews pages 499-500 (i.e. ... insert HTML component...position insertion point...), “ inserting immediately prior to the selected portion a first editing tag corresponding to the desired editing function; detecting object tag elements within the selected portion; inserting immediately prior to each object tag element within the selected portion a second editing tag corresponding to the desired editing function and inserting the second tag at the end of the selected**

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*portion; and inserting immediately after each object tag element within the selected portion the first editing tag, wherein the first and second editing tags are distinguishable from the object tag elements.”, as taught by Matthews pages 466-469 (i.e. ... </p> ... immediately followed by a <p> ... last paragraph has ended when a new one start... Figure 13-2. character style tags displayed... <B> </B> applies the Bold physical character style to the enclosed character).*

**In regard to dependent claim 2,** *“The method according to claim 1, wherein the first editing tag opens the desired editing function and the second editing tag closes the desired editing function”, as taught by Matthews page 468, table 13-3. (i.e.... <B> </B> applies the Bold physical character style to the enclosed character).*

**In regard to dependent claim 3,** *“The method according to claim 1, further comprising the step of saving re-creation data including those portions of an edited Web-based document including first and second editing tags along with contextual data sufficient to locate the saved portions within the original Web-base document so that the edited Web-based document may be re-created by combining the re-creation data and the original Web-based document”, as taught by Matthews pages 404-411 (i.e.... FrontPage gives ... several tools to position objects... and to wrap text around the objects).*

**In regard to dependent claim 4,** *“the method according to claim 3, wherein, if an original Web-based document has been changed, so that a previously edited portion of the Web-based document is in a different location”, as taught by Matthews pages 412-416 (i.e.... using absolute positioning...).*

**In regard to dependent claims 5-6**, incorporate substantially similar subject matter as cited in claims 1-2 above, and are similarly rejected along the same rationale.

**In regard to independent claim 7**, is directed to a software package for performing the method of claim 1, and is similarly rejected along the same rationale.

**In regard to dependent claim 8**, is directed to a software package for performing the method of claim 2, and is similarly rejected along the same rationale.

**In regard to dependent claim 9**, is directed to a software package for performing the method of claim 3, and is similarly rejected along the same rationale.

**In regard to dependent claim 10**, is directed to a software package for performing the method of claim 4, and is similarly rejected along the same rationale.

**In regard to dependent claims 11-12**, are directed to a software package for performing the method of claims 1-2, and are similarly rejected along the same rationale.

**In regard to independent claim 13**, incorporate substantially similar subject matter as cited in dependent claim 1 above, and is similarly rejected along the same rationale.

### **Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Agrawal et al	U.S. Pub No. 202/0004843A1	issued 01/10/2002	filed 03/05/2001
Henson et al	U.S. Patent No. 6,101,509	issued 08/08/2000	filed 09/27/1996
Canelones et al.	U.S. Patent No. 6700589 B1	issued 03/02/2004	filed 02/17/2000

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (703) 305-8781. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER

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**Quoc A. Tran**  
**Patent Examiner**  
**Technology Center 2176**  
**May 26, 2004**